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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte MANOJ MODI

Appeal 2009-005179
Application 10/677,037
Technology Center 2100

Before HOWARD B. BLANKENSHIP, ST. JOHN COURTENAY III, and
JAMES R. HUGHES, *Administrative Patent Judges*.

BLANKENSHIP, *Administrative Patent Judge*.

DECISION ON APPEAL¹

¹ The two-month time period for filing an appeal or commencing a civil action, as recited in 37 C.F.R. § 1.304, or for filing a request for rehearing, as recited in 37 C.F.R. § 41.52, begins to run from the “MAIL DATE” (paper delivery mode) or the “NOTIFICATION DATE” (electronic delivery mode) shown on the PTOL-90A cover letter attached to this decision.

STATEMENT OF THE CASE

This is an appeal under 35 U.S.C. § 134(a) from the Examiner's final rejection of claims 1-4 and 9-27, which are all the claims remaining in the application. We have jurisdiction under 35 U.S.C. § 6(b).

We affirm.

Invention

Appellant's invention relates to a computer network 10 (Fig. 1) that uses a central database 48 to manage a portfolio of real property holdings. The real property information is stored on the central database and organized into a plurality of information categories. Abstract.

Each property is assigned a unique property identification number and has a set of related records that deal with specific attributes under a given category of information. For example, an "Infrastructure" category record 52 (Fig. 4) associated with the unique property identification number provides information related to square footage, acreage, detailed photographs of the property, rooms, layout, type of roof, etc. *See Spec.* ¶¶ [00025] - [00028].

Representative Claim

1. A method of accessing real property information for display on a website, comprising:

storing real property information from a portfolio of real properties on a central database organized under a plurality of information categories, including a general purpose category, infrastructure category, business category, accounting category, and maintenance category, wherein each item of real property

information is stored in only one of the plurality of information categories;

selecting real property information for display;

retrieving the selected real property information from multiple information categories on the central database;

combining the selected real property information from the multiple information categories to provide a composite view of the real property; and

displaying the selected real property information on the website.

Examiner's Rejections

Claims 1-4 and 9-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kramer (US 6,327,574 B1) and Lee (US 6,694,331 B2).

Claim Groupings

Although Appellant's Brief places claims in separate headings, the arguments upon which Appellant relies are, at most, those presented for claim 1. Accordingly, we will decide the appeal on the basis of claim 1. *See* 37 C.F.R. § 41.37(c)(1)(vii).

FINDINGS OF FACT

Kramer describes a database that includes a Facts database. The Facts database contains personal information (e.g., name, address, and social security number). Database content can be selected and displayed. Col. 12, ll. 1-26; col. 13, ll. 5-19.

PRINCIPLES OF LAW

The *content* of non-functional descriptive material is not entitled to weight in the patentability analysis. *See Ex parte Curry*, 84 USPQ2d 1272, 1274 (BPAI 2005) (informative), *aff'd*, No. 06-1003 (Fed. Cir. June 12, 2006) (Rule 36) (“wellness-related” data in databases and communicated on distributed network did not functionally change either the data storage system or the communication system used in the claimed method). *See also Ex parte Nehls*, 88 USPQ2d 1883, 1887-90 (BPAI 2008) (precedential) (discussing non-functional descriptive material).

ANALYSIS

Appellant argues that the applied references fail to teach or suggest storing real property information on a central database “organized under a plurality of information categories, including a general purpose category, infrastructure category, business category, accounting category, and maintenance category, wherein each item of real property information is stored in only one of the plurality of information categories” as recited in claim 1. Appellant submits that the Examiner “is giving the express language in claim 1 no patentable weight.” Br. 28.

However, how the “categories” may be named does not functionally change the database. How the “information” may be named does not functionally change the database. The act of storing data in different categories in a database is the same regardless of how the data and the categories may be named. The informational content of the data and categories thus represent non-functional descriptive material, entitled to no weight in the patentability analysis.

The recitation “wherein each item of real property information is stored in only one of the plurality of information categories” -- i.e., each data item is stored in only one of the plurality of categories -- merely follows from the recognition in the prior art that a data item may be stored in one of several mutually exclusive categories in a database. For example, one would not store a person’s name in a social security number category. One would not store a person’s social security number in a name category. *See* Kramer col. 12, ll. 17-26.

To the extent that Appellant argues the “selecting” and displaying of claim 1 is not taught by the references, we also find that the selecting data for display, retrieving the data from multiple categories on the central database, and combining the data from the multiple categories to provide a composite view of the data as required by the claim is taught by Kramer. In particular, Appellant has not shown that the “Selection Engine” of Kramer (col. 13, ll. 5-19) fails to teach the retrieval and display process, in view of what the claim actually requires.

We are thus not persuaded that any claim on appeal has been rejected in error. We sustain the § 103(a) rejection of claims 1-4 and 9-27.

DECISION

The rejection of claims 1-4 and 9-27 under 35 U.S.C. § 103(a) as being unpatentable over Kramer and Lee is affirmed.

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Application 10/677,037

No time period for taking any subsequent action in connection with this appeal may be extended under 37 C.F.R. § 1.136(a). *See* 37 C.F.R. § 41.50(f).

AFFIRMED

msc

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